

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. [19-md-02913-WHO](#) (JSC)

**ORDER FOLLOWING JUNE 30, 2021
DISCOVERY CONFERENCE**

Dkt. Nos. 2031, 2034, 2035

1. Regarding the Bellwether School District Cases Update (Dkt. No. 2031), the Court expects the plaintiffs to proceed with equal diligence for each school district in terms of making productions and scheduling depositions and meet the following deadlines:

- SFUSD's document production substantially completed by July 9, 2021, and fact discovery and Rule 30 productions completed by August 31, 2021.
- TUSD, Palm Beach County, and Goddard will each make their next production by July 23, 2021 and will continue to provide productions every two weeks until they have substantially completed document production by August 31, 2021. Fact discovery as to these three entities will be completed by September 30, 2021, although depositions may take until October 15, 2021.

The Government Entity document productions must be made on a rolling basis, understanding each production will be approximately of equal amounts. Plaintiffs have committed to providing custodial files for 30(b)(1) deponents 30 days in advance of the depositions but if the entities are unable to produce documents 30 days in advance, the parties will meet and confer regarding whether a shorter time period is sufficient for defendants to review the documents.

As to timing for the parties' further submissions regarding sequencing of the Government

1 Entity bellwethers, the Court will recommend to Judge Orrick that the parties defer submitting
2 further suggestions as to sequencing until the end of October.

3 2. The parties shall meet and confer regarding JLI's re-review of its privilege
4 assertions and date certain for completion of production of documents to which it agrees the
5 privilege does not apply.

6 3. Plaintiffs shall provide responses to the contention interrogatories for personal
7 injury plaintiffs currently in the mix for trial sequencing by July 30, 2021.

8 4. The parties will continue to meet and confer on any remaining disputes regarding
9 the scope of the subpoenas served on school districts regarding education materials, programs, and
10 policies related to nicotine, cigarette, and vaping.

11 5. Defendants will provide dates for the 15 remaining JLI witnesses by July 6, 2021.

12 6. Plaintiffs will confirm by July 2, 2021 that they have submitted medical release
13 forms to providers.

14 7. On the Motion for Reconsideration or Clarification (Dkt. No. 2035), which the
15 Court notes is based on information and argument not presented to the Court in the prior briefing,
16 the Court understands that the parties will meet and confer as to the mutually-agreeable end date
17 for the FDA discovery considering both the Court's initial suggestion that the end date logically is
18 the close of fact discovery and that neither side should be able to use information not produced by
19 the end date. The Court understands that JLI intends to make productions of the FDA-material on
20 June 30, 2021, on July 2, 2021, and again on July 9, 2021. Going forward, the productions can
21 generally be made on a monthly basis through the end date, absent any deposition-related need
22 that might necessitate a sooner production. Finally, the parties agree to meet and confer on the
23 issue of productions from outside counsel in order to avoid any duplicative efforts on behalf of JLI
24 but also to provide plaintiffs an understanding that potentially responsive documents within JLI's
25 custody or control (including documents residing with outside counsel) have been produced. This
26 disposes of the motion at Dkt. No. 2035.

27 8. In the closed session, the Court gave guidance on the issue related to questions
28 asked at one of the personal injury bellwether plaintiff's depositions, resolving that issue.

9. The next Discovery Conference is set for July 26, 2021 at 8:30 a.m.

IT IS SO ORDERED.

Dated: July 1, 2021


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

United States District Court
Northern District of California